

**LABOR SERVICES DIVISION[875]**

**Adopted and Filed**

Pursuant to the authority of Iowa Code section 89A.3, the Elevator Safety Board hereby amends Chapter 71, “Administration of the Conveyance Safety Program,” Iowa Administrative Code.

This amendment authorizes the Labor Commissioner to remove from service an elevator that is operating without a permit. Although by statute it is illegal to operate an elevator without a permit, this amendment sets forth necessary enforcement procedures.

Notice of Intended Action was published in the October 31, 2012, Iowa Administrative Bulletin as **ARC 0411C**. No public comment was received on the proposed amendment. This amendment is identical to that published under Notice of Intended Action.

The purposes of this amendment are to protect the health and safety of the public and implement legislative intent.

No variance procedures are included in this rule. Applicable variance procedures are set forth in 875—Chapter 66.

After analysis and review of this rule making, this amendment will have no impact on jobs.

This amendment is intended to implement Iowa Code chapter 89A.

This amendment shall become effective on March 13, 2013.

The following amendment is adopted.

Amend subrule 71.7(1) as follows:

**71.7(1)** Operation of equipment covered by this chapter without a current operating permit is prohibited, except as authorized by rules 875—71.6(89A), 875—71.8(89A), and 875—71.20(89A). If operation of a conveyance is prohibited under this rule, the labor commissioner may post notice on the conveyance that it is not to be used. The conveyance may be returned to service only after an operating permit for the conveyance has been issued or reissued.

[Filed 1/8/13, effective 3/13/13]

[Published 2/6/13]

EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 2/6/13.